

EXHIBIT 04

Government Cannot Show Intent to Violate the AKS – Cont.

- It is absurd to argue that Michael Blau would give advice that could give rise to the necessary intent at a conference attended by senior DOJ and OIG leadership
- Moreover, if Blau's presentations gives rise to knowledge on West's part, then West can (and will) argue that the statute of limitations should begin to run at the time of the presentation since DOJ and OIG attorneys had knowledge of the arrangement

